

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2020 – SB 2048

March 11, 2018

SUMMARY OF ORIGINAL BILL: Exempts certain records made or received by an independent firm or individual retained by the state to monitor, review, supervise, or otherwise provide oversight with respect to a cooperative agreement governed by a certificate of public advantage, including, but not limited to, monitoring compliance and evaluating performance, from being public records.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$4,600/One-Time
\$108,400/Recurring

SUMMARY OF AMENDMENT (014499): Deletes all language after the enacting clause. Exempts certain records received by the Department of Health (DOH) and the Attorney General and Reporter from the recipients or applicants of a certificate of public advantage for a cooperative agreement issued pursuant to Tenn. Code Ann. § 68-11-13. Authorizes such records to contain trade secrets. Requires the state to notify, in writing, the recipient or applicant of a certificate of public advantage for a cooperative agreement at least seven business days before any intended disclosure of such records. Allows the recipient, applicant, or third party to petition the DOH for a declaratory order to determine if disclosure would cause the loss of a trade secret.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumption for the bill as amended:

- Based on information provided by the DOH, the proposed legislation can be accommodated utilizing existing resources without an increased appropriation or reduced reversion.
- Based on information provided by the Attorney General and Reporter, the proposed legislation can be accommodated within existing resources without an increased appropriation or reduced reversion.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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